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Computer and Internet Law

Date: January 11, 2006

To: Examiner Jeffrey C. Pwu
USPTO   **Art Unit:**   2143

Facsimile: 571-273-8300   **Telephone:**

From: Streets & Steele
Debi Labay   **Our Ref:**   AUS920010629US1
(IBM-0026)
Serial No: 10/047,004
Our Deposit Account Log No.:   0114
Confirmation No: 6341

Pages: *31*   (with cover)

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application:
1) Transmittal Form;
2) Fee Transmittal; and
3) Appeal Brief.

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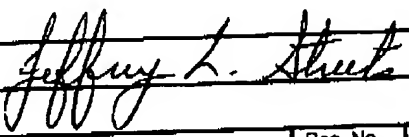Approved for use through 07/31/2006. OMB 0651-0031
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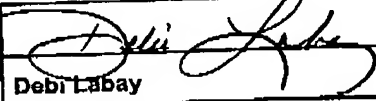|	
TRANSMITTAL FORM	Application Number	10/047,004
	Filing Date	**January 16, 2002**
	First Named Inventor	**Maria Azua Himmel**
	Art Unit	**2143**
	Examiner Name	**Jeffrey C. Pwu**
(to be used for all correspondence after initial filing)	Attorney Docket Number	**AUS920010629US1**
Total Number of Pages In This Submission	30	

ENCLOSURES   *(Check all that apply)*

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☐ Fee Attached

☐ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)

☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/ Incomplete Application
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)
☐ Licensing-related Papers
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☐ Petition to Convert to a Provisional Application
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1. Fax cover sheet

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	STREETS & STEELE	
Signature	*[signature]*	
Printed name	Jeffrey L. Streets	
Date	January 11, 2006	Reg. No. 37,453

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	Complete if Known
Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **FEE TRANSMITTAL For FY 2005**	
	Application Number: 10/047,004
	Filing Date: January 16, 2002
	First Named Inventor: Maria Azua Himmel
	Examiner Name: Jeffrey C. Pwu
☐ Applicant claims small entity status. See 37 CFR 1.27	Art Unit: 2143
TOTAL AMOUNT OF PAYMENT ($) 500.00	Attorney Docket No.: AUS920010629US1

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	FILING FEES Small Entity Fee ($)	SEARCH FEES Fee ($)	SEARCH FEES Small Entity Fee ($)	EXAMINATION FEES Fee ($)	EXAMINATION FEES Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)	Multiple Dependent Claims Fee ($)	Fee Paid ($)
____ - 20 or HP = ____	x ____	= ____		____	____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
____ - 3 or HP = ____	x ____	= ____	

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

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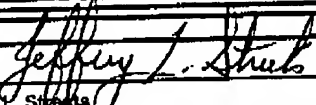
Non-English Specification, $130 fee (no small entity discount)

Other: Appeal Brief

Fees Paid ($): 500.00

SUBMITTED BY		Registration No. (Attorney/Agent) 37,453	Telephone 713.939.9444
Signature	_signature_		Date January 11, 2006
Name (Print/Type)	Jeffrey L. Streets		

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Appeal Brief
Dkt. No.: AUS920010629US1
(IBM/0026)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF:
    Maria Azua Himmel, *et al.*

SERIAL NO: 10/047,004

CONFIRMATION NO.: 6341

FILED: January 16, 2002

FOR: Automatically Sending a URL by
         E-Mail or Telephone

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EXAMINER: Jeffrey C. Pwu

GROUP ART UNIT: 2143

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APPEAL BRIEF

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01/12/2006 TL0111   00000041 500714   10047004
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APPEAL BRIEF

Appellant timely filed a Notice of Appeal to this Board on November 11, 2005 appealing the decision of the Examiner in the Final Office Action dated August 11, 2005 for the above captioned application. Appellant hereby submits this Appeal Brief pursuant to 37 C.F.R. 41.37.

(1) REAL PARTY IN INTEREST

The real party of interest in this action is International Business Machines Corporation, the recorded assignee of the entire right, title and interest in and to the patent application now under appeal before this Board. International Business Machines Corporation is a corporation of the State of New York, having a place of business in Armonk, New York 10504.

(2) RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative, or Assignee that will affect or be directly affected by or have a bearing upon the Board's decision in the pending appeal.

(3) STATUS OF THE CLAIMS

The status of all claims in the application under appeal is as follows: claims 1-44 are pending in the application. Claims 1-44 stand rejected and are under appeal.

(4) STATUS OF AMENDMENTS

Amendments to the claims were submitted in Applicant's "Response to the Final Office Action dated August 11, 2005", which Response was filed on November 11, 2005 along with Applicant's Notice of Appeal.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

There are five independent claims involved in this appeal, including independent method

claims 1, 15 and 17, independent computer program product claim 18, and independent computer

system claim 31.

Independent claim 1 is directed to a computer implemented method for providing a

Uniform Resource Locator (URL) to a customer. (Specification, page 2, lines 10-11; Figure 2;

See also Figure 1) The method comprises receiving a customer identification record including a

destination address associated with a communications terminal of the customer during a

telephone call with the customer, selecting at least one URL to be sent to the destination address

of the customer, and generating and sending an electronic message containing the at least one

URL to the destination address of the customer. (Specification, page 2, lines 11-15; Figure 2,

steps 100-120; original claim 1).   An advantage of the present method is that the customer is

provided with a selected URL without having to write or memorize the URL at the risk of

making mistakes.

Independent claim 15 is directed to a method for sending a Uniform Resource Locator

(URL) to a communications terminal of a first party. The method comprises registering a

destination address of the communications terminal with a database maintained by a sender

(Specification, page 3, lines 19-21; page 5, lines 23-25 and 29-30; original claim 15), selecting at

least one URL to be sent to the communications terminal during a telephone call between the

first party and the sender (Specification, page 2, lines 11-15; Figure 2, steps 100-120; original

claim 15), generating an e-mail by a telephone system of the sender containing the at least one

URL, and sending the e-mail containing the at least one URL from a telephone system of the

sender to the destination address of the communications terminal. (Specification, page 2, lines 11-15; page 6, lines 6-12; Figure 2, step 120; original claim 15)

Independent claim 17 is directed to a method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal of a first party. (Specification, page 3, lines 4-6; original claim 17). The method comprises selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and a sender (Specification, page 2, lines 15-16; Abstract, lines 3-5; original claim 17), automatically providing a destination address of the communications terminal to the sender during the same telephone call (Specification, page 4, lines 25; original claim 17), and receiving an electronic message containing the at least one URL from a telephone system of the sender (Specification, page 2, lines 10-11; original claim 17).

Independent claim 18 is directed to a computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal of a first party (Specification, page 7, lines 4-7; original claim 18). The instructions comprise receiving instructions for receiving a first party identification record including a destination address of the communications terminal during a telephone call with the first party, selecting instructions for selecting at least one URL to be sent to the destination address of the communications terminal, generating instructions for generating an electronic message containing the at least one URL, and sending instructions for sending the electronic message containing the at least one URL to the destination address of the communications terminal. (Specification, original claim 18).

Independent claim 31 is directed to a computer system for providing a Uniform Resource Locator (URL) to a first party. The computer system comprises receiving means for receiving a first party identification record including a destination address associated with a communications terminal of the first party during a telephone call with the first party, selection means for selecting at least one URL to be sent to the destination address of the first party, and messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address. (Specification, page 2, lines 11-15; Figure 2, steps 100-120; original claim 31).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

a. Whether claim 1 is indefinite under 35 U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

b. Whether claims 1-44 are anticipated under 35 U.S.C. 102(b) by Srinivasan, U.S. Patent No. 5,724,412.

(7) ARGUMENT

a. Whether claim 1 is indefinite under 35 U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) Applicable law.

A rejection under Section 112, second paragraph, must (1) interpret the claim in light of the specification; (2) interpret the claim as one of ordinary skill in the art; and (3) establish that the limitation in the claim does not reasonably define the invention. Specifically, the "language of the claims, read in light of the specification" is to be considered when determining whether

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the claims are definite. *Allen Archery Inc.* v. *Browning Mfg. Co.*, 819 F.2d 1087, 2 USPQ2d 1490, 1494 (Fed. Cir. 1987).

(2)   Claim 1 is definite.

The present specification sets out that "[i]n the instance where the customer initiates the call, it is preferred that customer's identification or contact information be provided along with its caller ID signal." (Specification, page 3, lines 29-31). "Conversely, in the instance where the merchant initiates the call, the merchant will not typically receive any type of automatic customer identification information." (Specification, page 4, lines 2-3). Accordingly, the claim limitation of "automatically receiving a customer identification record," wherein interpreted in light of the specification, means that the customer identification record is provided independent of action by the recipient.

The Examiner has not provided sufficient reasoning as to why the claim limitation of "automatically receiving a customer identification record" is unclear when read in view of the specification and, thus, has not established a *prima facie* case of indefiniteness

(3)   Amendment of Claim 1 makes the rejection moot.

Despite the Applicant's position regarding the definiteness of the claim, claim 1 was amended in Applicant's Response to Final Office Action, which Response was filed on Nov. 11, 2005 along with Applicant's Notice of Appeal, to remove the word "automatic" from the claim. It is asserted that this amendment makes the rejection moot. Reconsideration and withdrawal of the rejection is respectfully requested.

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b.   Whether claims 1-44 are anticipated under 35 U.S.C. 102(b) by Srinivasan, U.S. Patent No. 5,724,412.

(1)   Applicable law.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Mashinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984). Under 35 U.S.C. Section 102, anticipation requires that "the prior art reference must be enabling, thus placing the allegedly disclosed matter in the possession of the public." *Akzo N.V. v. U.S. Int'l Trade Comm'n*, 808 F.2d 1471, 1 USPQ2d 1241, 1245 (Fed. Cir 1986). "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." *Scripps Clinic & Research Found. v. Genentech Inc.*, 927 F.2d 1565, 18 USQP2d 1001, 1010 (Fed. Cir. 1991).

(2)   Review of the cited prior art.

U.S. Patent No. 5,724,412 (hereinafter "Srinivasan") discloses a method and system for providing a callee with Internet information related to a caller attempting to call the callee. (Srinivasan, Abstract). The Internet information, as well as the caller's name and telephone number, may be supplied to the callee during the first 2 rings of the telephone and, if the call is not completed, then the callee may obtain the information at a later time. (Srinivasan, Abstract).

The central telephone office of the caller maintains records to supply for caller ID purposes when a caller calls a callee. (Srinivasan, col. 2, lines 20). Assuming there is Internet

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information concerning the caller, then this information is provided as part of the caller-ID system when the caller calls the callee. *Id.* Internet information that may be included in the caller-ID include one or more of the caller's email address, the caller's URL location, a Gopher address, a WAIS address and a FTP address. (Srinivasan, col.1, lines 50-56).

If the callee is not home or not available when the caller calls, the callee can obtain the information at a later time by calling the caller information manager **54** to obtain information about the caller. (Srinivasan, col. 8, lines 1-30). Here, the callee must enter a user ID and password so that the caller information manager **54** can validate the identity of the callee before revealing the information about the caller. *Id.*

Applicant claims providing a URL to a customer, comprising, *inter alia*, receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer; selecting at least one URL to be sent to the destination address of the customer. (Claims 1, 15, 17, 18 and 31).

(3) <u>Srinivasan fails to disclose each of the limitations of independent claim 1</u>. Applicant respectfully asserts that a *prima facie* case of anticipation has not been presented because Srinivasan fails to disclose each and every element as set forth in the claims. Applicant claims providing a URL to a customer, comprising, *inter alia*, receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer; selecting at least one URL to be sent to the destination address of the customer; and generating and sending an electronic message containing the at least one URL to the destination address of the customer.

In particular, Srinivasan fails to disclose "sending at least one URL to the destination address of the customer" (claim 1). In support of the rejection of this element, the Examiner cites Srinivasan as disclosing that the Internet information of the caller may include, *inter alia*, the caller's email address and the caller's URL (Office Action, p. 3 *citing* Srinivasan, col. 1, line 34 to col. 2, line 14). However, claim 1 does not claim the *URL of the caller* being used as an address of an *electronic message being sent to the caller*. If the caller provides a URL to a callee, this URL would be serving as a customer URL/destination address received from the customer and Srinivasan does not disclose sending a further URL to the customer URL/destination address.

Applicant believes that it is important to read claim 1 as a whole, because the claimed method includes "<u>receiving</u> a customer identification record including <u>a destination address</u> associated with a communications terminal of the customer during a telephone call with the customer" and, after selecting at least one URL, "generating <u>and sending</u> an electronic message containing the <u>at least one URL to the destination address</u> of the customer." (Claim 1) Srinivasan does not disclose sending a selected URL to a destination address that was received from a customer.

(4)   <u>Srinivasan fails to disclose the limitations of claims 2, 19 and 32.</u>

Regarding claims 2, 19 and 32, Applicant claims that the electronic message additionally contains items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information or combinations thereof, wherein the user ID and user password are required by the website having the address of the URL. (Claims 2, 19 and 32). In support of the rejection of this element, the Examiner cites Srinivasan as disclosing that the callee provides the caller information manager with identification information such as a user

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ID and password which the caller information manager, in turn, uses as input to the caller-ID manager. (Office Action, p. 3). However, this is not what Applicant claims. The electronic message sent to the caller, as claimed by Applicant, contains information such as the password and user ID necessary *for the caller* to be able to enter the website at the URL being sent to the caller in the electronic message. This is not the same as the *callee* calling the callee's telephone mailbox and entering his ID and password so that the *callee* can enter and website to retrieve his messages, as disclosed by Srinivasan.

Srinivasan does not disclose that the electronic message additionally contains items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information or combinations thereof, wherein the user ID and user password are required by the website having the address of the URL.

(5) Srinivasan fails to disclose the limitation of claim 3.

Srinivasan fails to disclose "recording the at least one URL into a bookmark section of a browser in the communications terminal." (Claim 3). The final office action apparently asserts that this limitation is disclosed by Srinivasan, but merely cites to "(54)" as a basis for this assertion. (Final OA, page 3). This is apparently a reference to the *caller information manager 54* of Srinivasan, Figure 1A. However, the final office action provides no explanation how element 54 discloses the present limitation.

(6) Srinivasan fails to disclose the limitation of claim 13.

Srinivasan fails to disclose "wherein the step of selecting the at least one URL further comprises: requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu provides a code associated with each of the URLs; and choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each

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of the selected URLs." (Claim 13). The final office action asserts that claim 13 is anticipated by Srinivason, but fails to cite any basis for this assertion. Applicant asserts that Srinivasan does not disclose any type of menu.

(7) <u>Srinivasan fails to disclose each of the limitations of independent claim 15.</u>

Srinivasan fails to disclose at least one limitation of claim 15. In particular, Applicant asserts that Srinivasan does not disclose "registering a destination address of the communications terminal with a database maintained by a sender" and "*sending* the e-mail *containing the at least one URL from a telephone system of the sender* to *the destination address* of the communications terminal" (claim 15). In an apparent reference to claim 15, the final office action cites only to Srinivasan, col. 1, line 34 to col. 2, line 14, without explanation as to the relevance of this passage. Applicant asserts that Srinivasan makes no mention of sending an email containing a URL to a destination address.

(8) <u>Claims 17 and 18.</u>

Srinivasan fails to disclose "*receiving* an e-mail message containing the at least one *URL* from a telephone system of the sender" (claim 17), or "*sending* instructions for sending the e-mail containing the at least one *URL* from a telephone system of the sender to *the destination address* of the communications terminal" (claim 18).

Regarding claims 17 and 18, Applicant claims that the electronic message containing the selected URL is sent by or received from the telephone system of the sender. Srinivasan is silent as to the telephone system of the callee sending any Internet message to the caller. Srinivasan simply does not disclose that the electronic message containing the selected URL is sent by or received from the telephone system of the sender.

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(9) <u>Srinivasan fails to disclose the limitation of claim 20</u>.

Srinivasan fails to disclose a computer program product comprising "recording instructions for recording the at least one URL into a bookmark section of a browser on the communications terminal." (Claim 20). The final office action apparently asserts that this limitation is disclosed by Srinivasan, but fails to cite a basis for this assertion.

(10) <u>Srinivasan fails to disclose the limitation of claim 27</u>.

Srinivasan fails to disclose at least one limitation of claim 27, which sets out a computer program product "wherein the recording instructions for recording the destination address comprises: selecting instructions for selecting a menu function on the telephone system of the customer for recording the destination address of the communications terminal; specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the first party." (Claim 27). Srinivasan does not ever disclose a menu, the final office action does not cite any portion of Srinivasan as disclosing a menu, and the final office action does not even address the limitations of claim 27.

(11) <u>Srinivasan fails to disclose the limitation of claim 30</u>.

Srinivasan fails to disclose at least one limitation of claim 30, which sets out a computer program product "wherein the selecting instructions for selecting the one or more URL's further comprises: requesting instructions for requesting the sender telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; choosing instructions for choosing the at least one URL to capture, wherein choosing is accomplished by entering the code, using a keypad on the customer telephone, for each URL selected." (Claim 30). Srinivasan does not ever disclose a menu, the final office action does not cite any portion of Srinivasan as disclosing a menu, and the final office action does not even address the limitations of claim 30.

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(12) <u>Srinivasan fails to disclose each of the limitations of independent claim 31.</u>

Srinivasan fails to disclose at least one limitation of independent claim 31. For example, Srinivasan does not disclose a computer system comprising "receiving means for *receiving* a first party identification record including *a destination address*" and "messaging means for generating and *sending* an electronic message containing the at least one selected *URL to the destination address*" (Claim 31). Srinivasan does not disclose receiving a destination address, allowing for the selection of a URL, and then sending the selected URL to the destination address.

(13) <u>Srinivasan fails to disclose the limitation of claim 33.</u>

Srinivasan fails to disclose "recording means for recording the at least one URL into a bookmark section of the communications terminal's browser." (Claim 33). The final office action asserts that this limitation is disclosed by Srinivasan, but fails to cite the basis for this assertion.
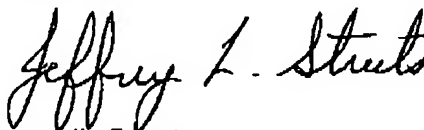
(14) <u>Srinivasan fails to disclose the limitation of claim 43.</u>

Srinivasan fails to disclose "wherein the selection means further comprises: requesting means for requesting the sender's telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; and selecting means for selecting the at least one URL to capture by entering the code, using a keypad on the first party telephone, for each of the at least one URL selected." (Claim 43). Srinivasan does not ever disclose a menu, the final office action does not cite any portion of Srinivasan as disclosing a menu, and the final office action does not even address the limitations of claim 43.

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Therefore, because the cited prior art reference fails to disclose each and every limitation of the claims, Appellant respectfully asserts that a *prima facie* case of anticipation has not been presented.   Therefore, Appellant respectfully requests the Board to find that claims 1-44 presented on appeal are patentable.

Respectfully submitted,

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Appeal Brief
Dkt. No.: AUS920010629US1
(IBM/0026)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF:
   Maria Azua Himmel, *et al.*

SERIAL NO: 10/047,004

CONFIRMATION NO.: 6341

FILED: January 16, 2002

FOR: Automatically Sending a URL by
      E-Mail or Telephone

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EXAMINER: Jeffrey C. Pwu

GROUP ART UNIT: 2143

Via Facsimile: 571-273-8300

APPENDIX IN SUPPORT OF APPELLANT'S APPEAL BRIEF

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(8) CLAIMS APPENDIX

What is claimed is:

1. (previously presented) A computer implemented method for providing a Uniform Resource Locator (URL) to a customer, comprising:

receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer;

selecting at least one URL to be sent to the destination address of the customer; and

generating and sending an electronic message containing the at least one URL to the destination address of the customer.

2. (previously presented) The method of claim 1, wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

3. (original) The method of claim 1, further comprising:

recording the at least one URL into a bookmark section of a browser in the communications terminal.

4. (previously presented) The method of claim 1, wherein the customer has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

5. (previously presented) The method of claim 1, wherein a merchant sending the electronic message has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

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6. (previously presented) The method of claim 1, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

7. (original) The method of claim 1, wherein the communications terminal is a device capable of receiving e-mail.

8. (previously presented) The method of claim 1, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

9. (original) The method of claim 1, wherein each URL comprises an address for connecting to a Website.

10. (original) The method of claim 1, wherein the step of recording the destination address comprises:

    selecting a menu function on a telephone system of the customer for recording the destination address associated with the communications terminal; and

    specifying the destination address on an interactive display provided by the telephone system of the customer.

11. (original) The method of claim 10, further comprising:

    saving the destination address as part of a caller ID within the telephone system.

12. (original) The method of claim 11, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof.

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13. (original) The method of claim 1, wherein the step of selecting the at least one URL further comprises:

requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu provides a code associated with each of the URLs; and

choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs.

14. (previously presented) The method of claim 1, wherein the step of receiving the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof.

15. (previously presented) A method for sending a Uniform Resource Locator (URL) to a communications terminal of a first party, comprising:

registering a destination address of the communications terminal with a database maintained by a sender;

selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and the sender;

generating an e-mail by a telephone system of the sender containing the at least one URL; and

sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal.

16. (previously presented) The method of claim 15, wherein the step of sending an e-mail further comprises:

detecting the first party identification; and

dispatching the e-mail to the destination address registered in the sender database under the first party identification, wherein the first party identification is detected by a technique selected from reading the first party identification from the caller ID, querying the first party for the first party identification, or combinations thereof.

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17. (previously presented) A method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal of a first party comprising:

selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and a sender;

automatically providing a destination address of the communications terminal to the sender during the same telephone call; and

receiving an electronic message containing the at least one URL from a telephone system of the sender.

18. (previously presented) A computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal of a first party, the instructions comprising:

receiving instructions for receiving a first party identification record including a destination address of the communications terminal during a telephone call with the first party;

selecting instructions for selecting at least one URL to be sent to the destination address of the communications terminal;

generating instructions for generating an electronic message containing the at least one URL; and

sending instructions for sending the electronic message containing the at least one URL to the destination address of the communications terminal.

19. (previously presented) The computer program product of claim 18, wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

20. (original) The computer program product of claim 18, further comprising:

recording instructions for recording the at least one URL into a bookmark section of a browser on the communications terminal.

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21. (previously presented) The computer program product of claim 18, wherein the first party telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

22. (original) The computer program product of claim 18, wherein a sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

23. (original) The computer program product of claim 18, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

24. (original) The computer program product of claim 18, wherein the communications terminal is a device capable of receiving e-mail.

25. (original) The computer program product of claim 18, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

26. (original) The computer program product of claim 18, wherein each URL comprises an address for connecting to a Website.

27. (previously presented) The computer program product of claim 18, wherein the recording instructions for recording the destination address comprises:

selecting instructions for selecting a menu function on the telephone system of the customer for recording the destination address of the communications terminal;

specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the first party.

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28. (previously presented) The computer program product of claim 27, further comprising:

saving instructions for saving the destination address as part of a first party ID within the telephone system of the first party.

29. (previously presented) The computer program product of claim 28, wherein the caller ID contains information selected from date, time, first party telephone number, first party name, first party e-mail address or combinations thereof.

30. (original) The computer program product of claim 18, wherein the selecting instructions for selecting the one or more URL's further comprises:

requesting instructions for requesting the sender telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs;

choosing instructions for choosing the at least one URL to capture, wherein choosing is accomplished by entering the code, using a keypad on the customer telephone, for each URL selected.

31. (previously presented) A computer system for providing a Uniform Resource Locator (URL) to a first party comprising:

receiving means for receiving a first party identification record including a destination address associated with a communications terminal of the first party during a telephone call with the first party;

selection means for selecting at least one URL to be sent to the destination address of the first party;

messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address.

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32. (previously presented) The computer system of claim 31, wherein the wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

33. (original) The computer system of claim 31, further comprising:

recording means for recording the at least one URL into a bookmark section of the communications terminal's browser.

34. (previously presented) The computer system of claim 31, wherein the first party telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

35. (previously presented) The computer system of claim 31, wherein a sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

36. (previously presented) The computer system of claim 31, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

37. (original) The computer system of claim 31, wherein the communications terminal is a device capable of receiving e-mail.

38. (previously presented) The computer system of claim 31, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

39. (original) The computer system of claim 31, wherein each URL comprises an address for connecting to a Website.

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40. (previously presented) The computer system of claim 31, wherein the recording means further comprises:

menu means for selecting a menu function on the telephone system of the first party for recording the communications terminal's destination address;

specifying means for specifying the destination address on an interactive display provided by the customer telephone system.

41. (previously presented) The computer system of claim 40, further comprising:

storage means for storing the destination address as part of a caller ID within the telephone system of the first party.

42. (previously presented) The computer system of claim 41, wherein the caller ID contains information selected from date, time, first party telephone number, first party name, first party e-mail address or combinations thereof.

43. (original) The computer system of claim 31, wherein the selection means further comprises:

requesting means for requesting the sender's telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; and

selecting means for selecting the at least one URL to capture by entering the code, using a keypad on the first party telephone, for each of the at least one URL selected.

44. (original) The computer system of claim 31, wherein the receiving means includes reading means for reading the destination address from a caller ID record.

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(9) EVIDENCE APPENDIX

NONE

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(10) RELATED PROCEEDINGS APPENDIX

NONE

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